

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF NEW YORK

Molly Johnston

Plaintiff(s),

v.

JUDGMENT IN A CIVIL CASE

**Jo Anne B. Barnhart,
Commissioner of Social Security**

Defendant(s).

CASE NUMBER: 04-CV-6486 CJS

- ☐ **JURY VERDICT.** THIS ACTION CAME BEFORE THE COURT FOR A TRIAL BY JURY. THE ISSUES HAVE BEEN TRIED AND THE JURY HAS RENDERED ITS VERDICT.
- ☒ **DECISION BY COURT.** THIS ACTION CAME TO HEARING BEFORE THE COURT. THE ISSUES HAVE BEEN HEARD AND A DECISION HAS BEEN RENDERED.

IT IS ORDERED AND ADJUDGED THAT PLAINTIFF'S MOTION FOR JUDGEMENT ON THE PLEADINGS (DOC #3) IS GRANTED, DEFENDANT'S CROSS-MOTION FOR THE SAME RELIEF (DOC #5) IS DENIED, AND THIS MATTER IS REMANDED, PURSUANT TO 42USC405(G), SENTENCE FOUR, FOR A NEW HEARING.

JULY 11, 2005
DATE

RODNEY G. EARLY
CLERK

S/JOHN H. FOLWELL
(BY) DEPUTY CLERK